



## **Request for City Council Committee Action From the Department of Public Works**

**Date:** January 8, 2013

**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

**Subject:** **Sidewalk Reconstruction Assessment Cancellation**

**Recommendation:**

Passage of a Resolution cancelling a sidewalk repair special assessment for property identified as PID 19-028-23-24-0167, at 5620 37th Av S for payable 2013 and subsequent years' tax files.

**Prepared by:** Suzette R. Hjermstad, RE Investigator II, 673-2401  
Don Elwood, P.E., Director, Transportation Planning & Engineering 673-3622

**Approved by:**

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Steven A. Kotke, P.E., City Engineer, Director of Public Works

**Presenters:** Suzette R. Hjermstad, RE Investigator II, 673-2401

<b>Reviews:</b>	Permanent Review Committee (PRC)	Not applicable
	Civil Rights Affirmative Action Plan	Not applicable
	Policy review Group (PRG)	Not applicable

**Financial Impact:**

Action is within current department budget

**Community Impact:**

Neighborhood Notification: n/a

Neighborhood Meetings: n/a

City Goals: Maintain the physical infrastructure to ensure a healthy, vital and safe city

Comprehensive Plan: Not Applicable

Zoning Code: Not Applicable

**Background/Supporting Information:**

Each year the Public Works Department transmits numerous assessment rolls to the County to be levied to the next years' property tax statements. The assessment rolls are certified to Hennepin County by November 30<sup>th</sup> of the year.

The purpose of this letter is to request cancellation of a Public Works Department sidewalk repair special assessment for payable 2013 and subsequent years' tax files for a property at 5620 37th Ave S and identified as PID 19-028-23-24-0167 with a balance remaining of \$361.70.

This property was included on the 2009 sidewalk assessment roll that was levied to taxes beginning in 2010. The total amount of the assessment was \$904.19. Principal and interest installments for this assessment were collected with 2010 through 2012 property taxes. The owner of this property, Lisa Brown, paid the assessment in full on July 23, 2009 as evidenced in Sidewalk Division records and a copy of the cancelled check. The payment was not reported to the special assessment office to be removed from the assessment roll before certification to Hennepin County. This omission was brought to our attention when the property owner recently contacted the Sidewalk Division to inquire about the assessment on her property taxes.

We recommend that in addition to cancelling the balance of the sidewalk repair assessment, that the City refund the principal and interest installments collected on 2010 through 2012 property taxes in the amount of \$620.77.

Under the authority of Chapter 10 of the Minneapolis City Charter, the City Council assesses benefited properties for various improvement projects. Chapter 10, Section 15 of the City Charter further provides that the City Council may, by resolution, direct the County Auditor of Hennepin County, to cancel, on any record, where the same appears, any special assessments therefore assessed and levied by said City Council, whether because the assessment was irregular or erroneous.

**T&PW** – Your Committee recommends passage and summary publication of the accompanying resolution directing the Hennepin County Auditor to cancel the levied 5-year sidewalk repair assessment on the parcel identified by its Property ID Number for taxes payable in 2013 and subsequent years.

**Colvin Roy**

**Cancellation of Minneapolis Public Works Sidewalk Repair Special Assessment**

**Directing the Hennepin County Auditor to cancel the special assessment for sidewalk repair improvements for the payable 2013 and subsequent years' tax files described hereinafter.**

Whereas, in accordance with Chapter 10 of the Minneapolis City Charter, The City Council of the City of Minneapolis passed Resolutions in 2009 adopting the assessment rolls as prepared by the City Engineer and ordered the transmittal of certified copies of the assessment rolls to the Hennepin County Auditor for collection to begin on the 2010 real estate tax statements; and

Whereas, there is the following described assessment that is erroneously being carried on the real estate tax statement due to a full prepayment of the assessment.

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That pursuant to the provisions of Chapter 10, Section 15 of the Minneapolis City Charter, the Hennepin County Auditor is hereby directed to cancel the following levied 5-year term special assessments from the 2012 and subsequent years' tax statements:

<u>LEVY</u>	<u>PROJECT</u>	<u>PROPERTY ID</u>	<u>ORIGINAL AMT</u>
01052	10S05	19-028-23-24-0167	\$904.19